

**LABEL, IN PART:** "Tartan Tomato Juice Distributed By Alfred Lowry & Bro. Philadelphia, Pa."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

**DISPOSITION:** April 8, 1947. The Southern Packing Co., claimant, having withdrawn its claim, judgment of condemnation was entered and the product was ordered destroyed.

**12610. Misbranding of tomato juice. U. S. v. 1,496 Cases \* \* \*. (F. D. C. No. 22211. Sample No. 74001-H.)**

**LIBEL FILED:** January 24, 1947, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about November 15, 1946, by Colo Flavor Products, Inc., from Palisade, Colo.

**PRODUCT:** 1,496 cases, each containing 12 cans, of tomato juice at Cambridge, Mass. Examination showed that the product was short-volume.

**LABEL, IN PART:** "Co-Op Tomato Juice Salt Added Grade A Contents 1 qt. 14 fl. oz. Packed for National Co-operatives, Inc. Chicago, Illinois."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the label of the article failed to contain an accurate statement of the quantity of the contents.

**DISPOSITION:** May 5, 1947. Colo Flavor Products, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be relabeled in compliance with the law, under the supervision of the Federal Security Agency.

**12611. Misbranding of tomato juice. U. S. v. 529 Cases \* \* \*. (F. D. C. No. 24025. Sample No. 7046-K.)**

**LIBEL FILED:** December 22, 1947, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about August 20, 1947, by the Mason Canning Co., from Pocomoke, Md.

**PRODUCT:** 529 cases, each containing 12 cans, of tomato juice at Altoona, Pa.

**LABEL, IN PART:** "Iona Tomato Juice Net Contents 1 Qt. 14 Fl. Ozs. The Great Atlantic & Pacific Tea Co., New York, N. Y."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (Examination showed that the product was short-volume.)

**DISPOSITION:** February 11, 1948. The Mason Canning Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled or recanned under the supervision of the Food and Drug Administration.

**12612. Adulteration of maltose sirup. U. S. v. Malt Products Corporation of New Jersey, Jacob Teich, and Aaron Gross. Pleas of guilty. Corporation fined \$1,000; individuals each fined \$500. (F. D. C. No. 23336. Sample Nos. 64882-H, 65978-H.)**

**INFORMATION FILED:** September 4, 1947, District of New Jersey, against the Malt Products Corporation of New Jersey, a corporation, Maywood, N. J., and Jacob Teich, president, and Aaron Gross, secretary-treasurer.

**ALLEGED SHIPMENT:** On or about February 14 and March 3, 1947, from the State of New Jersey into the States of New York and Pennsylvania.

**LABEL, IN PART:** "Superior Maltose Syrup."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** October 10, 1947. Pleas of guilty having been entered on behalf of the defendants, the corporation was fined \$1,000 and the individual defendants were each fined \$500.

**12613. Adulteration of imitation sirup. U. S. v. 92 Bottles \* \* \*. (F. D. C. No. 21582. Sample No. 53455-H.)**

**LIBEL FILED:** November 7, 1946, Eastern District of Kentucky.

**ALLEGED SHIPMENT:** On or about April 23, 1946, by the Gladdy Sales Company, from New York, N. Y.

**PRODUCT:** 55 1-gallon bottles of imitation strawberry-flavored sirup and 37 1-gallon bottles of imitation lemon- and lime-flavored sirup at Middlesboro, Ky. Examination showed that the products were in an active state of fermentation.

**LABEL, IN PART:** "Carole Brand Imitation Strawberry Flavored Syrup [or "Imitation Lemon & Lime Flavored Syrup"]."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of decomposed substances.

**DISPOSITION:** December 4, 1946. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

**12614. Misbranding of Ar-O Inhibitor. U. S. v. 10 Jugs \* \* \*. F. D. C. No. 22365. Sample No. 67824-H.)**

**LIBEL FILED:** January 7, 1947, Western District of Oklahoma.

**ALLEGED SHIPMENT:** On or about June 4, 1946, by the Penrith-Akers Manufacturing Co., from Minneapolis, Minn.

**PRODUCT:** 10 1-gallon jugs of Ar-O Inhibitor at Altus, Okla.

**LABEL, IN PART:** "Ar-O A Neutral Inhibitor Containing Quaternary Ammonium Chloride. Directions  $\frac{1}{2}$ -Fluid Ounce to Each Gallon Bottling Syrup  $\frac{1}{2}$  Ounce to 5 Gallons of Finished Drink That Is Not Carbonated."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the labeling of the article was misleading, since the label statement "Ar-O A Neutral Inhibitor" coupled with the directions for use, represented that the article was wholesome and suitable for use as a component of foods for man, whereas it contained per 100 cc. about 1.68 grams of quaternary ammonium compound, a poisonous and deleterious substance; and the labeling of the article failed to reveal the material fact that the article contained a poisonous and deleterious substance.

**DISPOSITION:** February 14, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

## CEREALS AND CEREAL PRODUCTS

### BAKERY PRODUCTS

**12615. Adulteration of bakery products. U. S. v. Hy-Klas Food Products, Inc., and Charles J. Nelson. Pleas of guilty. Fine of \$800 and costs imposed jointly against the defendants. (F. D. C. No. 23299. Sample Nos. 67767-H, 67769-H, 67771-H, 67774-H, 68318-H to 68320-H, incl., 68324-H.)**

**INFORMATION FILED:** September 17, 1947, Western District of Missouri, against Hy-Klas Food Products, Inc., St. Joseph, Mo., and Charles J. Nelson, secretary-treasurer.

**ALLEGED SHIPMENT:** On or about December 20, 1946, and February 7, 1947, from the State of Missouri into the State of Kansas.

**LABEL, IN PART:** "Hy-Klas \* \* \* Golden Crust Sliced Bread [or "Rye Bread," or "Wheat Bread"]," or "Hy-Klas Coney Buns."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of insect fragments and rodent hairs; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** September 19, 1947. Pleas of guilty having been entered, a fine of \$800 and costs was imposed jointly against the defendants.

**12616. Adulteration of bakery products. U. S. v. Jake Shindler (Iowa Baking Co.). Plea of nolo contendere. Fine, \$240 and costs. (F. D. C. No. 23591. Sample Nos. 87009-H to 87015-H, incl.)**

**INFORMATION FILED:** November 5, 1947, Northern District of Iowa, against Jake Shindler, trading as the Iowa Baking Co., Sioux City, Iowa.

**ALLEGED SHIPMENT:** On or about May 26, 1947, from the State of Iowa into the State of Nebraska.

**LABEL, IN PART:** "Splendid \* \* \* Fruit Rolls [or "Pastries Milwaukee Rye," "French Bread," "Bread Sliced," "Pumpnickel Rye," "Wheat Bread," or "Cracked Wheat Bread"]."